

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

LORRI L. BRIGGS; LISA DEHAVEN;)	Docket No. 1:20-cv-00067--RAL
CARRIE JOHNSON; ELLEN RYDBOM;)	
ERIC TETUAN; and MICHELE)	
VORBERGER f/k/a MICHELE)	
CUNNINGHAM on behalf of themselves)	
and all others in the State of Pennsylvania)	
similarly situated)	
)	
Plaintiffs)	

v.

SUBARU OF AMERICA, INC.

Defendants

DEFENDANT, SUBARU OF AMERICA, INC.'S, MOTION TO DISMISS

Defendant, Subaru of America, Inc. ("Subaru"), by and through its attorneys, Knox McLaughlin Gornall & Sennett, P.C., hereby move to dismiss all claims in Plaintiffs' Complaint filed against Subaru, pursuant to Federal Rule of Civil Procedure 12(b)(6), on the grounds that the Complaint fails to state a claim upon which relief can be granted. In support of this Motion to Dismiss, Defendant incorporates by reference their Brief in Support of Motion to Dismiss, filed contemporaneously with this Motion.

Respectfully submitted,

KNOX McLAUGHLIN GORNALL
& SENNETT, P.C.

By: /s/Alexander K. Cox

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Attorneys for Defendant,
Subaru of America, Inc.

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CERTIFICATE OF CONFERRAL

The undersigned hereby certifies that counsel for both parties conferred in good-faith, by e-mail, as to whether or not the issues raised in the Motion to Dismiss can be resolved or cured by amendment. Counsel for Plaintiffs took the position that Plaintiffs disagreed with the arguments raised in the Motion to Dismiss. It is undersigned counsel's understanding that Plaintiffs do not intend to amend the complaint in response to the issues raised in the Motion and will be opposing the Motion.

/s/ Alexander K. Cox

Alexander K. Cox